

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Shania Roach	Team: Team # 1	CCRB Case #: 201305118	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Sunday, 06/02/2013 2:45 AM	Location of Incident: § 87(2)(b)	Precinct: 105	18 Mo. SOL 12/2/2014	EO SOL 12/2/2014	
Date/Time CV Reported	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 06/10/2013 3:38 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. An officer			Unknown
2. POM Michael Whooley	06036	943951	105 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM George Delgado	15617	946908	105 PCT
2. POM Nicholas Demeo	25507	950308	105 PCT

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Force: An officer struck § 87(2)(b) and § 87(2)(b) with an asp.	
B.POM Michael Whooley	Force: Officer Michael Whooley used a chokehold against § 87(2)(b)	
C.POM Michael Whooley	Force: Officer Michael Whooley struck § 87(2)(b) against a vehicle.	
D. An officer	Force: An officer used pepper spray against § 87(2)(b)	

Case Summary

On June 12, 2013, a call was placed to § 87(2)(b)'s home. The respondent was § 87(2)(b)'s wife, § 87(2)(b), who confirmed the mailing address and provided § 87(2)(b)'s cell phone number. § 87(2)(b) also stated that she would not allow her sons, § 87(2)(b) and § 87(2)(b) who were identified as victims, speak to anyone at the CCRB. Although § 87(2)(b) and § 87(2)(b) all over the age of eighteen, Mrs. Harper stated that they are, "mentally disabled and have the minds of fifteen year olds." On that same date, a voice message was left on § 87(2)(b)'s cell phone, and letters, which were not returned via the USPS, were mailed to § 87(2)(b) and § 87(2)(b). On June 17, 2013, a second call was placed to § 87(2)(b). Later on that day, § 87(2)(b) who witnessed the incident, returned the call, provided a phone statement, and scheduled an appointment for himself, and his three sons, § 87(2)(b) and § 87(2)(b) on June 24, 2013. § 87(2)(b) and § 87(2)(b) missed their scheduled appointment without calling ahead of time to cancel or reschedule. On June 25, 2013, missed appointment letters, which were not returned by the USPS, were mailed to § 87(2)(b) and § 87(2)(b). Between June 26, 2013, and July 1, 2013, two calls and voice messages were left for § 87(2)(b). § 87(2)(b) returned the call on July 1, 2013, and rescheduled an appointment for himself and his three sons on July 16, 2013; however, they also missed this appointment without calling ahead of time to cancel or reschedule. Between July 17, 2013 and July 31, 2013, four calls and voice messages were left for § 87(2)(b) and § 87(2)(b). A search of the NYC Department of Corrections, conducted on August 8, 2013, confirmed that § 87(2)(b) and § 87(2)(b) are not incarcerated.

On August 8, 2013, a first please call letter was mailed to § 87(2)(b) who § 87(2)(b) identified as a victim during his phone statement, and on that same date a search of the NYC Department of Corrections confirmed that § 87(2)(b) was not incarcerated. A Lexis Nexis search, conducted on August 9, 2013, confirmed § 87(2)(b)'s address and provided three additional addresses and an email address for § 87(2)(b) but did not provide a telephone number. On that same date, a final please call letter was mailed to § 87(2)(b)'s confirmed address, three first please call letters were mailed to his alternate addresses, and a first please call letter was sent to his email address. The email was returned as undeliverable and three of the letters were returned by the USPS with notations indicating that the address was insufficient or that the address did not exist. On September 9, 2013, § 87(2)(b) left a voicemail and provided his telephone number. Between September 11, 2013, and September 25, 2013, five phone calls were made to the provided number and voice messages were left for § 87(2)(b). To date, § 87(2)(b) has not replied to any further contact attempts. A search of the NYC Department of Corrections, conducted on September 25, 2013, confirmed that § 87(2)(b) is not incarcerated.

§ 87(2)(g)

Team: _____

Investigator: _____

	Signature	Print	Date
Supervisor:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date